

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:11CR93
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
JESUS VARGAS-CASTILLO,)	
)	
Defendant.)	

This matter comes on before the Court upon the United States' Motion to Dismiss and for Final Order of Forfeiture (Filing No. 53). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On January 3, 2012, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 846 and 853 based upon the Defendant's plea of guilty to Count II and the Forfeiture Allegation of the Superseding Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in the following properties was forfeited to the United States.

- a. 1973 Chevy Caprice, VIN 1N47Y3J231151;
- b. 2004 Cadillac Escalade, VIN 1GYEK63N54R249187;
- c. 1979 Olds Cutlass, VIN 3M47A9R481914;
- d. 1999 Ford F150, VIN 1FTZX1724XKB82588;
- e. 1986 Mazda Pickup, VIN JM2UF1119G0651758;
- f. 1989 Bayliner Boat, VIN BL1J13CXA989;
- g. 2008 Chevrolet Silverado, VIN 3GCEC13C88G120905.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on January 4 2012, as

required by Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on March 8, 2012 (Filing No. 52).

3. The United States informs the Court that, since the Preliminary Order of Forfeiture was entered, it no longer has custody of the 1999 Ford F150, VIN 1FTZX1724XKB82588, the 1986 Mazda Pickup, VIN JM2UF1119G0651758, and the 1989 Bayliner Boat, VIN BL1J13CXA989.

4. The United States advises the Court no Petitions have been filed in response to the published Notice. From a review of the Court file, the Court finds no Petitions have been filed.

5. The Plaintiff's Motion to Dismiss and Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion to Dismiss and Motion for Final Order of Forfeiture is hereby sustained.

B. The following properties are hereby dismissed from the Forfeiture Allegation in the Superseding Indictment:

1. 1999 Ford F150, VIN 1FTZX1724XKB82588;
2. 1986 Mazda Pickup, VIN JM2UF1119G0651758;
3. 1989 Bayliner Boat, VIN BL1J13CXA989.

C. All right, title and interest in and to the vehicles listed below held by any person or entity are hereby forever barred and foreclosed. Said vehicles be, and the same hereby are, forfeited to the United States of America. The United States is directed to dispose of said vehicles in accordance with law.

:

1. 1973 Chevy Caprice, VIN 1N47Y3J231151;

2. 2004 Cadillac Escalade, VIN 1GYEK63N54R249187;
3. 1979 Olds Cutlass, VIN 3M47A9R481914;
4. 2008 Chevrolet Silverado, VIN 3GCEC13C88G120905.

DATED this 28th day of March, 2012.

BY THE COURT:

Richard G. Kopf

RICHARD G. KOPF, Senior Judge
United States District Court